

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LAUSTEVION JOHNSON,
 Plaintiff,
 v.
 LCC, et al.,
 Defendants.

Case No. 2:20-cv-01832 -ART-NJK

ORDER

[Docket No. 49]

Pending before the Court is Defendants' motion to extend the deadline to file dispositive motions from April 3, 2023, to May 3, 2023. Docket No. 49.

A request to extend a deadline set by a scheduling order must be supported by a showing of good cause. Local Rule 26-3. The good cause analysis turns on whether the subject deadlines cannot reasonably be met despite the exercise of diligence. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992). This showing of diligence is measured by the movant's conduct throughout the entire period of time already allowed. *CC.Mexicano.US, LLC v. Aero II Aviation, Inc.*, 2015 U.S. Dist. LEXIS 169110, at *11-12 (D. Nev. Dec. 15, 2015). If diligence is not established, the Court's inquiry should end. *Johnson*, 975 F.2d at 609 (internal citation omitted).


Defendants submit three reasons for why good cause exists to extend the dispositive motion deadline. Docket No. 49 at 2. The first reason is, at bottom, that Defendants' counsel has a heavy workload. *See id.* "[A]ttesting that an attorney has overloaded his work obligations such that he cannot comply with established deadlines is not only an insufficient basis to modify case management deadlines, it is cause for alarm." *Williams v. James River Grp. Inc.*, ___ F. Supp. 3d ___, 2022 WL 4181415, *4 (D. Nev. 2022) (internal citations omitted). The final two reasons submitted by Defendants, that Defendants' counsel has experienced a personal illness and a family

1 emergency, are closer to the mark. Docket No. 49 at 2. Such reasons, however, do not
2 demonstrate diligence throughout the time already allowed. Despite this, as a one-time courtesy
3 to Defendants, the Court will extend the dispositive motion deadline.

4 Accordingly, the Court **GRANTS** Defendants' motion to extend deadline to file dispositive
5 motions. Docket No. 49. The dispositive motion deadline in this case is extended to May 3, 2023.

6 IT IS SO ORDERED.

7 Dated: March 30, 2023

8 
9 Nancy J. Koppe
United States Magistrate Judge